APPLICANTS REMARKS

Claims 1 to 5 and 14 are pending as currently amended. Claims 6 to 13 and 15 to 20

are canceled. Claim 21 is new.

In light of the foregoing amendments to the claims, the Applicant respectfully requests

reconsideration of all rejections of the claims based on 35 U.S.C. 101 and 112, as well

any objection concerning the form of the claims. Moreover, the Applicants respectfully

request that the 103(a) rejection of claim 12 be withdrawn as moot.

Based on the amendments to the claims, the Applicant respectfully requests

reconsideration of the double patenting rejection. In particular, the Applicant respectfully

submits that R6 is not pyrolidinocarbonyl.

Concerning the 102(e) rejection, the Applicant respectfully disagrees with the Examiner

and requests favorable reconsideration. The Examiner's vague assertion to the contrary

notwithstanding, the Applicant respectfully submits that the scope of the present claims

does not overlap with the scope of the cited reference.

Respectfully submitted,

Date: <u>January 27, 2010</u>

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